

Fill in this information to identify the case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF TEXAS

Case number (if known): _____ Chapter 11

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name Wildcatter Disposal, LLC
2. All other names debtor used in the last 8 years dba Borden County Waste Disposal (a Wildcatter Company)
- Include any assumed names, trade names and *doing business as* names
3. Debtor's federal Employer Identification Number (EIN) 8 2 - 5 1 7 1 1 3 6
4. Debtor's address
- | Principal place of business | Mailing address, if different from principal place of business |
|--------------------------------------|---|
| <u>320 Decker Road</u> | <u>P.O. Box 802788</u> |
| Number Street | Number Street |
| _____ | _____ |
| _____ | P.O. Box |
| _____ | _____ |
| <u>Irving</u> <u>TX</u> <u>75062</u> | <u>Dallas</u> <u>TX</u> <u>75380</u> |
| City State ZIP Code | City State ZIP Code |
| <u>Dallas</u> | Location of principal assets, if different from principal place of business |
| County | <u>150 Wicker Road</u> |
| | Number Street |
| | _____ |
| | <u>Gail</u> <u>TX</u> <u>79738</u> |
| | City State ZIP Code |
5. Debtor's website (URL) _____
6. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: _____

Debtor **Wildcatter Disposal, LLC**

Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>

5 6 2 9

8. Under which chapter of the Bankruptcy Code is the debtor filing?

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

Check one:

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11.

Check all that apply:

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, AND IT CHOOSES TO PROCEED UNDER SUBCHAPTER V OF CHAPTER 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- ☐ Chapter 12

Debtor Wildcatter Disposal, LLC Case number (if known) _____

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years? ☒ No
☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☒ No
☐ Yes. Debtor _____ Relationship _____
District _____ When _____
Case number, if known _____ MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor _____ Relationship _____

District _____ When _____
MM / DD / YYYY

Case number, if known _____

11. Why is the case filed in this district? *Check all that apply:*
☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

Debtor **Wildcatter Disposal, LLC**

Case number (if known) _____

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☐ No

☒ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☒ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? Open-air pits containing oil and oil byproduct

☒ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property? 150 Wicker Road

Number Street

Gail

City

TX

State

79738

ZIP Code

Is the property insured?

☐ No

☒ Yes. Insurance agency Swingle Collins

Contact name Baron Cass

Phone 972-715-8736

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

☐ 1-49

☐ 50-99

☒ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5,001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated assets

☐ \$0-\$50,000

☐ \$50,001-\$100,000

☐ \$100,001-\$500,000

☐ \$500,001-\$1 million

☒ \$1,000,001-\$10 million

☐ \$10,000,001-\$50 million

☐ \$50,000,001-\$100 million

☐ \$100,000,001-\$500 million

☐ \$500,000,001-\$1 billion

☐ \$1,000,000,001-\$10 billion

☐ \$10,000,000,001-\$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0-\$50,000

☐ \$50,001-\$100,000

☐ \$100,001-\$500,000

☐ \$500,001-\$1 million

☒ \$1,000,001-\$10 million

☐ \$10,000,001-\$50 million

☐ \$50,000,001-\$100 million

☐ \$100,000,001-\$500 million

☐ \$500,000,001-\$1 billion

☐ \$1,000,000,001-\$10 billion

☐ \$10,000,000,001-\$50 billion

☐ More than \$50 billion

Debtor **Wildcatter Disposal, LLC**

Case number (if known) _____

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **09/25/2020**

MM / DD / YYYY

X

Signature of authorized representative of debtor

Randy Edwards

Printed name

Manager

Title

18. Signature of attorney

X /s/ Jason P. Kathman

Signature of attorney for debtor

Date **09/25/2020**

MM / DD / YYYY

Jason P. Kathman

Printed name

Pronske & Kathman, P.C.

Firm name

2701 Dallas Parkway

Number Street

Suite 590

Plano

City

TX

State

75093

ZIP Code

(214) 658-6500

Contact phone

jkathman@pronskepc.com

Email address

24070036

Bar number

TX

State

**Resolution of the Manager of
Wildcatter Disposal, LLC
a Texas limited liability company**

Pursuant to the provisions of the Texas Business Organizations Code, the undersigned manager, with the consent of the requisite number of Members of Wildcatter Disposal, LLC, a Texas limited liability company (the "**Company**"), HEREBY CONSENT to the adoption of the following resolutions.

WHEREAS, Randy Edwards is the manager of the Company (the "**Manager**"); and

WHEREAS, the Manager has considered the financial and operational aspects of the Company's business and has determined that it is desirable and in the best interests of the Company, its creditors, equity holders, and other interested parties that the Company file a petition seeking relief under the provisions of Chapter 11 of title 11, of the United States Code (the "**Bankruptcy Code**"); and

WHEREAS, the Manager obtained the requisite "Approval of the Members" (as that term is defined in the Company's Operating Agreement) to undertake the actions memorialized herein.

NOW, THEREFORE BE IT RESOLVED that the Manager recommends and direct the Company to seek relief under the provisions of the Bankruptcy Code;

RESOLVED FURTHER, that Randy Edwards (the "**Authorized Signatory**") is hereby individually authorized and empowered on behalf of, and in the name of, the Company to execute and verify or certify a petition under Chapter 11 of the Bankruptcy Code and cause the same to be filed in the United States Bankruptcy Court for the Northern District of Texas at such time as the Authorized Signatory shall determine;

RESOLVED FURTHER, that the Authorized Signatory, and such other officers of the Company as the Authorized Signatory shall, from time to time, designate, be, and they hereby are, authorized and empowered on behalf of, and in the name of, the Company to execute and file all petitions, schedules, lists, and other papers, and to take any and all actions that the Authorized Signatory may deem necessary or proper in connection with the Chapter 11 case;

RESOLVED FURTHER, that the law firm of Pronske & Kathman, P.C. be employed as counsel for the Company in connection with the Company's Chapter 11 case;

RESOLVED FURTHER, that the Authorized Signatory is authorized and empowered in the name and on behalf of the Company, to (i) take or cause to be taken any and all such further actions and to prepare, execute and deliver or cause to be prepared, executed and delivered, and where necessary or appropriate, file or cause to be filed with the appropriate governmental authorities, all such other instruments and documents, (ii) incur and pay or cause to be paid all fees and expenses and (iii) engage such persons as such Authorized Signatory in his or her sole discretion, may determine to be necessary or appropriate to carry out fully the intent and

purposes of the foregoing resolutions and each of the transactions contemplated thereby, such determination to be conclusively established by the taking or causing of any such further action;

RESOVED FURTHER, that all lawful actions of any kind previously taken by the Manager of the Company, or any person or persons designated or authorized to act by the Company, which acts would have been authorized by the foregoing resolutions except that such acts were taken prior to the adoption of such resolutions, are hereby severally ratified, confirmed, approved and adopted as acts of the Company;

RESOLVED FURTHER, that these resolutions may be executed by facsimile, telecopy, or other reproduction, and such execution shall be considered valid, binding and effective for all purposes.

IN WITNESS WHEREOF, the undersigned, being the Manager of the Company, have executed this written consent to be effective as of 25TH day of SEPTEMBER, 2020.


Randy Edwards